

FILED

AO 91 (Rev. 08/09) Criminal Complaint

## UNITED STATES DISTRICT COURT

for the  
Western District of Texas

AUG 10 2023

CLERK, U.S. DISTRICT COURT  
WESTERN DISTRICT OF TEXAS  
BY [Signature]  
DEPUTY CLERKUnited States of America  
v.  
Gerardo RASCON-Salais

Case No.

EP-23-M-2473-BFC

Defendant(s)

## CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of 02/18/2023 and 03/09/2023 in the county of El Paso in the  
Western District of Texas, the defendant(s) violated:*Code Section*  
21 U.S.C. 846, 21 U.S.C. 841(a)(1)  
and (b)(1)(A)(viii)*Offense Description*  
Conspiracy to manufacture, distribute, or dispense, or possess with intent to  
manufacture, distribute, or dispense, 50 grams or more of methamphetamine,  
its salts, isomers, and salts of its isomers or 500 grams or more of a mixture  
or substance containing a detectable amount of methamphetamine, its salts,  
isomers, or salts of its isomers;

This criminal complaint is based on these facts:

☒ Continued on the attached sheet.[Signature]

Complainant's signature

Lee Rivas, Special Agent

Printed name and title

Sworn to before me and signed in my presence.

Date: 08/10/2023Oath Telephonically Sworn  
At 1:10 PM  
Fed.R.Crim.P.4.1(b)(2)(A)[Signature]

Judge's signature

City and state: El Paso, Texas

Robert F. Castaneda, U.S. Magistrate Judge

Printed name and title

## Affidavit

On February 18, 2023, Ivan Cuevas-Lemus (CUEVAS) was arrested at the Ysleta Port of Entry (POE) with 70 kilograms of methamphetamine concealed in his vehicle, a brown Ford Expedition SUV. According to a cooperating defendant (CD), Gerardo Rascon (RASCON) gave the vehicle to CUEVAS in Cd. Juarez in the early morning hours on the same day, then directed him to deliver the vehicle to a person in Topeka, Kansas. The CD said RASCON told CUEVAS he would get paid \$18,000.00 to do so. The CD identified a photograph of RASCON as the person who directed CUEVAS to smuggle narcotics through the POEs in El Paso and transport them to destination cities in the United States (U.S.). The CD said sometime between September and November 2022, CUEVAS was sent to Cd. Juarez, Chihuahua, Mexico by his boss to meet RASCON and to drive a black Dodge Durango SUV loaded with bulk cash from Cd. Juarez to Phoenix, Arizona. CUEVAS' boss is a known drug trafficker associated with the Sinaloa Cartel. RASCON has been identified as a member of a drug trafficking organization.

According to the CD, CUEVAS drove to Cd. Juarez and met with RASCON who gave him a black Dodge Durango SUV to transport the bulk cash. When CUEVAS crossed into the U.S. and was on his way to Phoenix, RASCON called him and told him to drive to Topeka, instead. A crossing history showed that the black Dodge Durango crossed into the U.S. from Mexico on February 6, 2023, through the Paso Del Norte POE. The CD said CUEVAS dropped off the Durango SUV to someone in Topeka, who returned the vehicle to him the next day. According to the CD, the following morning, RASCON told CUEVAS to drive the Dodge Durango back to Cd. Juarez where he turned it over to RASCON. The CD told agents the vehicle had about \$50,000.00 concealed inside the gas tank. According to the CD, RASCON paid CUEVAS about \$7,000.00 in cash that day and then gave him a black Ford Expedition with temporary tags, which he drove to Phoenix. A crossing history showed that the black Ford Expedition crossed into the U.S. from Mexico on February 7, 2023, through the Ysleta POE. CUEVAS then obtained an Arizona Motor Vehicle Division 3-day permit for the vehicle. RASCON sent the rest of CUEVAS' payment through several Western Union transfers totaling approximately \$19,000.00. Information obtained through an Instagram search warrant on RASCON's account showed a conversation between RASCON and another individual on February 14, 2023, where RASCON instructed the individual to send money through Western Union. The individual then sends a photograph of a receipt showing the transfer of approximately \$1,000 to CUEVAS.

According to the CD, about a week after CUEVAS' first trip to Topeka, KS, his boss sent him to Cd. Juarez again in the black Ford Expedition. CUEVAS booked a room at a motel where he remained for approximately 8 hours while another individual took the Ford Expedition to be loaded with narcotics and then returned to CUEVAS. According to the CD, RASCON told CUEVAS to deliver the narcotics to Topeka, KS. The CD said CUEVAS arrived in Topeka and met with the same person who took the vehicle and returned it the following morning. The CD stated CUEVAS received continuous instructions from RASCON during this event. CUEVAS spent the night at a hotel, and the following morning, RASCON told CUEVAS that the vehicle was outside the hotel. RASCON then instructed CUEVAS to drive to Phoenix to pick up Christopher Castillo (CASTILLO) because RASCON wanted to speak to CASTILLO in Cd.

Juarez regarding a money load that CASTILLO transported for RASCON. According to the CD, CUEVAS and CASTILLO crossed into Cd. Juarez and met with RASCON at a house. RASCON talked to CASTILLO and then CASTILLO proceeded to take out packages of money from the vehicle they crossed into Mexico with. RASCON counted the money with a money counting machine and money was missing, but RASCON and CASTILLO came to an agreement on the missing money.

On March 9, 2023, CASTILLO was arrested at the Alamogordo U.S. Border Patrol Checkpoint with approximately 30 kilograms of methamphetamine hidden in the gas tank of his vehicle, a black Ford Expedition SUV, which was previously used by CUEVAS to smuggle narcotics. Another CD identified RASCON by way of photograph as providing CASTILLO the black Ford Expedition and other drug laden vehicles to CASTILLO and others in Juarez. The CD stated that when CASTILLO drove to Cd. Juarez to pick up drug laden vehicles he would have to wait in Cd. Juarez for the vehicle and the money for the travel expenses, usually \$800.00-\$1000.00. RASCON or his associates delivered the drug laden vehicles and the travel expense money to him. CASTILLO was then explained the process of delivering the drug laden vehicles. Upon arrival to the delivery city, CASTILLO was instructed to leave the vehicle at a public location and unknown individual(s) would take the vehicle to withdraw the narcotics, then they would return the vehicle to CASTILLO who would then drive the vehicle back to Juarez or Phoenix.

According to the CD, on one occasion, CASTILLO drove a grey pickup truck to San Antonio and delivered 28 lbs. of methamphetamine to San Antonio. CASTILLO then transported the bulk cash proceeds (approximately \$70,000.00) to Phoenix. After arriving at Phoenix, the bulk cash was taken out of the vehicle. RASCON became upset and had CASTILLO transport the bulk cash from Phoenix to Cd. Juarez. CASTILLO was sent with \$50,000.00 and not the \$70,000.00 by his boss in Phoenix. RASCON found out the money was short he became upset at CASTILLO's boss in Phoenix. Later, CASTILLO took a bus from Phoenix to Cd. Juarez and received the drug laden Ford Expedition from RASCON. This was the same vehicle CASTILLO was arrested in on March 9, 2023. Information obtained from a search warrant on the Instagram account belonging to RASCON shows a conversation between RASCON and another individual. In this conversation, the individual talking to RASCON sends him a picture of the title to the Ford Expedition which CASTILLO was arrested in loaded with narcotics.